

Amendment and Response

Applicant: Michael D. Whitmarsh et al.

Serial No.: 09/686,849

Filed: October 10, 2000

Docket No.: 10003976-1

Title: INTERNET PRINT BROKERING SYSTEM AND METHOD

REMARKS

The following Remarks are made in response to the Non-Final Office Action mailed May 17, 2004, in which claims 1-43 were rejected. With this amendment, claim 16 has been cancelled without prejudice, and claims 1-9, 13-15, 17-19, and 37-42 have been amended to clarify Applicant's invention. Claims 1-15 and 17-43, therefore, remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 102

Claims 1-43 are rejected under 35 U.S.C. 102(b) as being anticipated by Hower, Jr. et al. U.S. Patent No. 5,467,434.

With this Amendment, independent claim 1 has been amended to clarify that the method includes presenting the list of at least one of the print providers which has the printing capability to fulfill the print request to the customer via the network communication link, with the list excluding print providers which do not have the printing capability to fulfill the print request, and independent claim 19 has been amended to clarify that the print brokering system controller is adapted to present the list of at least one of the print providers which has the printing capability to fulfill the print request to the customer, wherein the list excludes print providers which do not have the printing capability to fulfill the print request. In addition, independent claim 37 has been amended to clarify that the method includes compiling via the print brokering system controller a list including only those print providers which have the printing capability to fulfill the print request, and presenting the list of print providers which have the printing capability to fulfill the print request to the customer.

With respect to the Hower, Jr. et al. patent, this patent does not teach or suggest a method of brokering a print job as claimed in independent claims 1 and 37, nor a system for brokering a print job as claimed in independent claim 19. For example, the Hower, Jr. et al. patent discloses a printing arrangement having a printer bank with a plurality of printers which are respectively associated with printer profiles such that each of the printer profiles has a list of printer properties available at the printer with which the printer profile is associated (Abstract and col. 4, lines 33-37). This list of printer properties, however, is not a list of print providers which have the printing capability to fulfill the print request with the list excluding print providers which do not have the printing capability to fulfill the print

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request nor a list including only those print providers which have the printing capability to fulfill the print request.

In view of the above, Applicant submits that independent claims 1, 19, and 37 are each patentably distinct from the Hower, Jr. et al. patent and, therefore, are in a condition for allowance. Furthermore, as dependent claims 2-15 and 17-18 further define patentably distinct claim 1, dependent claims 20-36 further define patentably distinct claim 19, and dependent claims 38-43 further define patentably distinct claim 37, Applicant submits that dependent claims 2-15 and 17-18, dependent claims 20-36, and dependent claims 38-43 are also in a condition for allowance. Applicant, therefore, respectfully requests that the rejection of claims 1-43 under 35 U.S.C. 102(b) be reconsidered and withdrawn and that claims 1-15 and 17-43 be allowed.

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CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1-15 and 17-43 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to either James R. McDaniel at Telephone No. (208) 396-4095, Facsimile No. (208) 396-3958 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9306 on this 17th day of August, 2004.

By 
Name: Scott A. Lund